FORM EXEMPT UNDER 44 U.S.C 3512

INTERNET FORM NLRB-501 (2-08)

# UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE	IN THIS SPACE
Case	Date Filed
04-CA-298703	7/5/22

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT b. Tel. No. (570) 843-3146 a. Name of Employer Amazon.com Services LLC c. Cell No. f. Fax No. d. Address (Street, city, state, and ZIP code) e. Employer Representative 298 First Ave. David A. Zapolsky, General Counsel g. e-Mail Covington Township, PA 18424 (local) jeff@amazon.com 410 Terry Avenue N h. Number of workers employed Seattle, WA 98109-5210 (national) 500.000 + Type of Establishment (factory, mine, wholesaler, etc.) j. Identify principal product or service Fulfillment centers Warehouse and distribution k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) The Employer has implemented an unlawful nationwide no-access rule to suppress union activity. SECTION 10(j) RELIEF IS REQUESTED Full name of party filing charge (if labor organization, give full name, including local name and number)
 American Postal Workers Union AFL-CIO 4b. Tel. No. 4a. Address (Street and number, city, state, and ZIP code) 202-842-4200 1300 L Street NW 4c Cell No Washington DC 20005 4d. Fax No. 202-842-4297 4e. e-Mail rshelley@apwu.org 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) American Postal Workers Union, AFL-CIO Tel. No. 6. DECLARATION 202-223-2620 I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. Office, if any, Cell No. (signature of representative or person making charge) (Print/type name and title or office, if any) Fax No. 202-296-9600 July 4, 2022 Murphy Anderson, 1401 K St. NW #300, Washington DC 20005 manderson@murphypllc.com (date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



■ Download

REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658 Download NLRB Mobile App

July 5, 2022

Amazon.com Services LLC AVP3 Amazon Fulfillment Center 298 First Avenue Covington Township, PA 18424

Re: Amazon.com Services LLC Case 04-CA-298703

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney Nicholas S. Allen whose telephone number is (215)597-9711. If this Board agent is not available, you may contact Supervisory Attorney PATRICIA A. GARBER whose telephone number is (215)597-7625.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence:</u> All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a> or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Govan

Thomas Goonan Regional Director

#### Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

cc: David A. Zapolsky, General Counsel Amazon.com Services LLC 410 Terry Avenue North Seattle, WA 98109

FORM NLRE (3-11)	3-5081	NATIONAL I	LABOR RELATIONS BOARD		
(3-11)	QUESTI	ONNAIRE O	ON COMMERCE INFORMATION		
Please rea	d carefully, answer all applicable items, and ret	turn to the NLRB (	Office. If additional space is required, please add a	page and identify item number.	
CASE NA	ME			CASE NUMBER	
1 FVAC	T LEGAL TITLE OF ENTITY (As filed w	ith State and/on	stated in legal decuments forming entity)	04-CA-298703	
I. EAAC	I LEGAL TITLE OF ENTITY (As med w	ith State and/or	зкатей ін тедаг поситентя гогінінд ентізу		
2. TYP	PE OF ENTITY				
		PARTNERSHI	IP [ ] SOLE PROPRIETORSHIP [ ] OT	HER (Specify )	
	ORPORATION or LLC		[]	(Line),	
	OF INCORPORATION	B. NAME, AI	DDRESS, AND RELATIONSHIP (e.g. parent, sub	osidiary) OF ALL RELATED E	NTITIES
OR FO	RMATION				
4. IF AN	LLC OR ANY TYPE OF PARTNERSHI	P, FULL NAME	AND ADDRESS OF ALL MEMBERS OR PA	RTNERS	
5. IF A S	SOLE PROPRIETORSHIP, FULL NAME	AND ADDRES	S OF PROPRIETOR		
	,				
6. BRIE	FLY DESCRIBE THE NATURE OF YOU	R OPERATION	NS (Products handled or manufactured, or nature	of services performed).	
7A. PRIN	NCIPAL LOCATION:		7B. BRANCH LOCATIONS:		
8 NTIMI	BER OF PEOPLE PRESENTLY EMPLO	VFD			
А. Т	TOTAL:	B. AT THE A	DDRESS INVOLVED IN THIS MATTER:		
А. Т	TOTAL:	B. AT THE A	DDRESS INVOLVED IN THIS MATTER:  ] CALENDAR [ ] 12 MONTHS or [ ] FIS		)   NO
A. Tod yo	TOTAL:  NG THE MOST RECENT (Check the appr	B. AT THE A		YES	) NO
A. T  9. DURI  A. Did you	NG THE MOST RECENT (Check the approval of the provide services valued in excess of \$50,0	B. AT THE A	CALENDAR []12 MONTHS or []FIS	YES value.	) NO
A. Tod you see B. If you goods	NG THE MOST RECENT (Check the approvide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly our	B. AT THE A	CALENDAR [] 12 MONTHS or [] FIS stomers outside your State? If no, indicate actual	YES value.	) NO
A. Ti 9. DURI  A. Did you \$  B. If you goods provide	NG THE MOST RECENT (Check the approval of the provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled.	B. AT THE Accordance box): [  1000 directly to cue as valued in excess taide your State?	CALENDAR [] 12 MONTHS or [] FIS stomers outside your State? If no, indicate actual s of \$50,000 to customers in your State who purch	YES value.	NO NO
A. Told you sould be	NG THE MOST RECENT (Check the appropriate provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$	B. AT THE Associate box): [  1000 directly to custs a valued in excess training your State?	Stomers outside your State? If no, indicate actual of \$50,000 to customers in your State who purch If no, indicate the value of any such services you	YES value. ased	) NO
A. Told you see the second of	NG THE MOST RECENT (Check the appropriate of the provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$	B. AT THE Associate box): [  1000 directly to custs a valued in excess taide your State?  1000 services valued it tations, commerces	stomers outside your State? If no, indicate actual so of \$50,000 to customers in your State who purch. If no, indicate the value of any such services you in excess of \$50,000 to public utilities, transit systemal buildings, educational institutions, or retail con	YES value.  ased ems, cems?	) NO
A. Told you sould be	OTAL:  NG THE MOST RECENT (Check the appropriate provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$	B. AT THE Associate box): [  1000 directly to customered in excess valued in except valued valued in except valued in except valued in except valued in except	stomers outside your State? If no, indicate actual sof \$50,000 to customers in your State who purch. If no, indicate the value of any such services you in excess of \$50,000 to public utilities, transit systemal buildings, educational institutions, or retail constants of \$50,000, in the state of	YES value.  ased ems, ccems?	) NO
A. Told you goods provide C. If you newsp If less D. Did you amount E. If you	TOTAL:  NG THE MOST RECENT (Check the appropriate of the provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$	B. AT THE Action of the second	stomers outside your State? If no, indicate actual of sof \$50,000 to customers in your State who purch. If no, indicate the value of any such services you in excess of \$50,000 to public utilities, transit systematical buildings, educational institutions, or retail control is located outside your State? If less than \$50,000, in \$10,000 directly to customers located inside your State?	YES value.  ased  ems, cems?  indicate  te who	NO NO
A. Told you goods provide C. If you newsp If less D. Did you amount E. If you	TOTAL:  NG THE MOST RECENT (Check the appropriate of the provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$	B. AT THE Action of the second	stomers outside your State? If no, indicate actual sof \$50,000 to customers in your State who purch. If no, indicate the value of any such services you in excess of \$50,000 to public utilities, transit systemal buildings, educational institutions, or retail constants of \$50,000, in the state of	YES value.  ased  ems, cems?  indicate  te who	) NO
A. Told you goods provide C. If you newsp If less D. Did you amount E. If you purches F. Did yo	cotal:  NG THE MOST RECENT (Check the appropriate provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$	B. AT THE All propriate box): [  1000 directly to custs a valued in excess taide your State?  1000 services valued in the properties of th	stomers outside your State? If no, indicate actual of sof \$50,000 to customers in your State who purch. If no, indicate the value of any such services you in excess of \$50,000 to public utilities, transit systematical buildings, educational institutions, or retail control is located outside your State? If less than \$50,000, in \$10,000 directly to customers located inside your State?	YES  value.  ased  ems, icems?  indicate  te who iount.	) NO
A. Told you goods provided C. If you newspur If less D. Did you amount E. If you purchas \$	cotal:  NG THE MOST RECENT (Check the appropriate provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$	B. AT THE All copriate box): [  1000 directly to customers are considered in excess valued in excess valued in excess valued in excess of \$50 from directly out the cess of \$50,000 from	stomers outside your State? If no, indicate actual of sof \$50,000 to customers in your State who purch. If no, indicate the value of any such services you in excess of \$50,000 to public utilities, transit systemal buildings, educational institutions, or retail constant solutions of solutions and state? If less than \$50,000, indicate and state your State? If less than \$50,000, indicate and the your State? If less than \$50,000, indicate and the your State?	value.  ased  ems, indicate  ite who iount.	) NO
A. Told you goods provide C. If you newsp If less D. Did you amount E. If you purchates F. Did you indicate G. Did you points	NG THE MOST RECENT (Check the appropriate provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$	B. AT THE All copriate box): [  1000 directly to customers that it is excessed in excess of \$50,000 from directly out the sess of \$50,000 from directly amount. \$1000 from directly amount.	stomers outside your State? If no, indicate actual so of \$50,000 to customers in your State who purch If no, indicate the value of any such services you in excess of \$50,000 to public utilities, transit systemal buildings, educational institutions, or retail constant buildings, educational institutions, or re	value.  ased  ems, indicate  ite who iount.	) NO
A. Told you goods provide  C. If you newsp If less D. Did you amount E. If you purchates  F. Did you indicate G. Did you points H. Gross	cotal:  NG THE MOST RECENT (Check the appropriate provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$\( \) answered no to 9A and 9B, did you provide papers, health care institutions, broadcasting status \$50,000, indicate amount. \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled as answered no to 9D, did you sell goods valued as answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to the goods valued in excess of \$50,000 directly outled to the goods valued in excess of \$50,000 directly outled to the goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to	B. AT THE Action of the services of \$50,000 fredicate amount. \$ services (Check services) (	stomers outside your State? If no, indicate actual so of \$50,000 to customers in your State who purch If no, indicate the value of any such services you in excess of \$50,000 to public utilities, transit systemal buildings, educational institutions, or retail constant buildings, educational institutions, or re	value.  ased  ems, indicate  ite who iount.	NO NO
A. Told you goods provide  C. If you newsp If less  D. Did you amount  E. If you purchate  F. Did you indicate  G. Did you points  H. Gross  [] 3	cotal:  NG THE MOST RECENT (Check the appropriate provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$\( \) answered no to 9A and 9B, did you provide papers, health care institutions, broadcasting status \$50,000, indicate amount. \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled as answered no to 9D, did you sell goods valued as answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to the goods valued in excess of \$50,000 directly outled to the goods valued in excess of \$50,000 directly outled to the goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$50,000 directly outled to \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to 9D, did you sell goods valued in excess of \$\( \) answered no to	B. AT THE All copriate box): [  1000 directly to cust staide your State?  1000 services valued in excess taken your State?  1000 directly to customers the stations, commerce sectly to customers the stations of \$50,000 from directly out the sess of \$50,000 from	stomers outside your State? If no, indicate actual stomers outside your State? If no, indicate actual states of \$50,000 to customers in your State who purch If no, indicate the value of any such services you are excess of \$50,000 to public utilities, transit systemal buildings, educational institutions, or retail constant buildings, educational institutions, or retail constant buildings, educational institutions, or retail constant buildings and customers located inside your State? If less than \$50,000, indicate and the state of the	value.  ased  ems, indicate  ite who iount.	NO NO
A. Told you goods provide  C. If you newsp If less D. Did you amount E. If you purchas  F. Did you indica G. Did you indica G. Did you indica I. Gross I. Did you	TOTAL:  NG THE MOST RECENT (Check the appropriate provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$	B. AT THE Activate Box 1: [ 1000 directly to customers at side your State? The services valued in excess the services valued in excess of \$50,000 from directly out the services of \$50,000 from directly out the services (Check 1 \$1,000,000 on the services (Check 1 \$1,000,000 on the services (Types, specifications).	stomers outside your State? If no, indicate actual stomers outside your State? If no, indicate actual states of \$50,000 to customers in your State who purch If no, indicate the value of any such services you are excess of \$50,000 to public utilities, transit systemal buildings, educational institutions, or retail constant buildings, educational institutions, or retail constant buildings, educational institutions, or retail constant buildings and customers located inside your State? If less than \$50,000, indicate and the state of the	YES  value.  ased  ems, indicate  ite who iount.  000, om	
A. Told you goods provide  B. If you goods provide  C. If you newsp If less  D. Did you amount  E. If you purchat  \$	TOTAL:  NG THE MOST RECENT (Check the appropriate provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$	B. AT THE Action of the services of \$50,000 from directly out the services of \$50,000 from directly out the services of \$50,000 from directly out the services (Check 1 \$1,000,000 or on the? If yes, sponsor of the services of \$50,000 from directly out the services (Check 1 \$1,000,000 or on the services of \$50,000 from the services (Check 1 \$1,000,000 or on the services of \$50,000 from the services (Check 1 \$1,000,000 or on the services of \$50,000 from the services (Check 1 \$1,000,000 or on the services of \$50,000 from the services of \$50,000 from the services (Check 1 \$1,000,000 or on the services of \$50,000 from the services of \$50,000 from the services (Check 1 \$1,000,000 or on the services of \$50,000 from the services of \$50,000	stomers outside your State? If no, indicate actual so of \$50,000 to customers in your State who purch. If no, indicate the value of any such services you in excess of \$50,000 to public utilities, transit systemal buildings, educational institutions, or retail consistency of solutions of solutions of the state? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate amount.	YES  value.  ased  ems, indicate  ite who iount.  000, om	
A. Told you goods provide  B. If you goods provide  C. If you newsp If less  D. Did you amount  E. If you purchate  F. Did you indicate  G. Did you points  H. Gross  I. Did you	TOTAL:  NG THE MOST RECENT (Check the appropriate provide services valued in excess of \$50,000 answered no to 9A, did you provide services valued in excess of \$50,000 from directly outled. \$	B. AT THE Action of the services of \$50,000 from directly out the services of \$50,000 from directly out the services (Check of \$1,000,000 on this? If yes, spon or the services of \$50,000 from directly out the services (Check of \$1,000,000 on this? If yes, spon or the services of \$50,000 from the services (Check of \$1,000,000 on this? If yes, spon or the services of \$50,000 from the services (Check of \$1,000,000 on the services of \$50,000 from the services (Check of \$1,000,000 or the services of \$50,000 from the services of \$50,000 from the services (Check of \$1,000,000 or the services of \$50,000 from the services of \$50,000 from the services (Check of \$1,000,000 or the services of \$50,000 from the servi	stomers outside your State? If no, indicate actual so of \$50,000 to customers in your State who purch. If no, indicate the value of any such services you in excess of \$50,000 to public utilities, transit systemal buildings, educational institutions, or retail consistency of solutions of solutions of the state? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate and the state your State? If less than \$50,000, indicate amount.	YES  value.  ased  ems, icems?  indicate  te who iount.  DOO,  om	

#### PRIVACY ACT STATEMENT

DATE

E-MAIL ADDRESS

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

SIGNATURE

NAME AND TITLE (Type or Print)

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

# UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMAZON.COM SERVICES LLC	
Charged Party	
and	Case 04-CA-298703
AMERICAN POSTAL WORKERS UNION (APWU), AFL-CIO	
Charging Party	
I, the undersigned employee of the National Laboratury 5, 2022, I served the above-entitled documents of the server of the serve	or Relations Board, state under oath that or ent(s) by post-paid regular mail upon the
following persons, addressed to them at the following David A. Zapolsky, General Counsel Amazon.com Services LLC 410 Terry Avenue North Seattle, WA 98109	g addresses:
Amazon.com Services LLC AVP3 Amazon Fulfillment Center 298 First Avenue Covington Township, PA 18424	
	Lorraine Y. Murray
July 5, 2022	Designated Agent of NLRB
Date	Name

/s/ Lorraine Y. Murray
Signature



Download

REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658 Download NLRB Mobile App

July 5, 2022

American Postal Workers Union (APWU), AFL-CIO 1300 L Street, NW Washington, DC 20005

> Re: Amazon.com Services LLC Case 04-CA-298703

Dear Sir or Madam:

The charge that you filed in this case on July 05, 2022 has been docketed as case number 04-CA-298703. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney Nicholas S. Allen whose telephone number is (215)597-9711. If this Board agent is not available, you may contact Supervisory Attorney PATRICIA A. GARBER whose telephone number is (215)597-7625.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to

take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a> or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Govan

Thomas Goonan Regional Director

cc: Michael T. Anderson, Esquire Murphy Anderson PLLC Tower Building 1401 K Street, NW Suite 300 Washington, DC 20005 INTERNET FORM NLRB-501

#### UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD **CHARGE AGAINST EMPLOYER**

DO NOT WRITE	IN THIS SPACE
Case	Date Filed
04-CA-298703	7/5/22

FIRST AMENDED

INST	rRUC	CIT	NS:

file an original with NLRB Regional Director for the region in which the		g.
	GAINST WHOM CHARGE IS BROUGHT	h Tol No
a. Name of Employer		b. Tel. No. (570) 843-3146
Amazon.com Services LLC		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 298 First Ave.	e. Employer Representative David A. Zapolsky, General Counsel	g. e-Mail
Covington Township, PA 18424 (local)	David 7 ii Zapoloky, Goliefal Godileol	jeff@amazon.com
410 Terry Avenue N		
Seattle, WA 98109-5210 (national)		h. Number of workers employed 500,000 +
i. Type of Establishment (factory, mine, wholesaler, etc.) Fulfillment centers	j. Identify principal product or service Warehouse and distribution	
k. The above-named employer has engaged in and is engaging i	n unfair labor practices within the meaning of secti	on 8(a), subsections (1) and (list
subsections)		r Relations Act, and these unfair labor
practices are practices affecting commerce within the meaning within the meaning of the Act and the Postal Reorganization A		air practices affecting commerce
2. Basis of the Charge (set forth a clear and concise statement of	of the facts constituting the alleged unfair labor pract	ctices)
The Employer has implemented an unlawful nation	vide no-access rule to suppress union a	ctivity.
CECTION 40% DELIEF IC DECLIECTED		
SECTION 10(j) RELIEF IS REQUESTED		
3. Full name of party filing charge (if labor organization, give full American Postal Workers Union AFL-CIO	name, including local name and number)	
American Postal Workers Union AFL-CIO	, ,	
4a. Address (Street and number, city, state, and ZIP code)		4b. Tel. No. 202-842-4200
1300 L Street NW	_	Ic Cell No
Washington DC 20005		
		<sup>4d. Fax No.</sup> 202-842-4297
		le. e-Mail
		rshelley@apwu.org
5. Full name of national or international labor organization of whe	ich it is an affiliate or constituent unit (to be filled in	when charge is filed by a labor
American Postal Workers Union, AFL-C	10	
6. DECLARATION I declare that I have read the above charge and that the statements		Tel. No. 202-223-2620
A A A A A A A A A A A A A A A A A A A	, ,	
By //Why TNUK Lawy	/er	Office, if any, Cell No.
(signature of representative or person making charge)	Print/type name and title or office, if any)	Fax No. 202-296-9600
	luly 4 2022	e-Mail
Murphy Anderson, 1401 K St. NW #300, Was	hington DC 20005 (date)	manderson@murphypllc.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



Download

REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658 Download NLRB Mobile App

May 8, 2023

American Postal Workers Union (APWU), AFL-CIO 1300 L Street, NW Washington, DC 20005

> Re: Amazon.com Services LLC Case 04-CA-298703

Dear Sir or Madam:

We have docketed the first amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Attorney NICHOLAS S. ALLEN whose telephone number is (215)597-9711. If the agent is not available, you may contact Supervisory Attorney PATRICIA A. GARBER whose telephone number is (215)597-7625.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

KIMBERLY E. ANDREWS Regional Director

Kindy & anders

cc: Michael T. Anderson, Esquire Murphy Anderson PLLC Tower Building 1401 K Street, NW Suite 300 Washington, DC 20005



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



May 8, 2023

Amazon.com Services LLC AVP3 Amazon Fulfillment Center 298 First Avenue Covington Township, PA 18424

REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: Amazon.com Services LLC Case 04-CA-298703

Dear Sir or Madam:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Attorney NICHOLAS S. ALLEN whose telephone number is (215)597-9711. If the agent is not available, you may contact Supervisory Attorney PATRICIA A. GARBER whose telephone number is (215)597-7625.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to

comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

KIMBERLY E. ANDREWS Regional Director

Kimbely & ardun

Enclosure: Copy of first amended charge

cc: David A. Zapolsky, General Counsel Amazon.com Services LLC 410 Terry Avenue, North Seattle, WA 98109-5210

> Brian Stolzenbach, ESQ. Seyfarth Shaw LLP 233 South Wacker Drive, Suite 8000 Chicago, IL 60606

### **UNITED STATES OF AMERICA**

### **BEFORE THE NATIONAL LABOR RELATIONS BOARD**

	_
AMAZON.COM SERVICES LLC	
Charged Party	
and	Case 04-CA-298703
AMERICAN POSTAL WORKERS UNION (APWU), AFL-CIO	
Charging Party	
AFFIDAVIT OF SERVICE OF FIRST AMENDE	D CHARGE AGAINST EMPLOYER
I, the undersigned employee of the National Labor I on May 8, 2023, I served the above-entitled documpersons, addressed to them at the following addresses	ent(s) by regular mail upon the following
David A. Zapolsky, ESQ., General Counsel Amazon.com Services LLC 410 Terry Avenue, North Seattle, WA 98109-5210	
Brian Stolzenbach, ESQ. Seyfarth Shaw LLP 233 South Wacker Drive, Suite 8000 Chicago, IL 60606	
Amazon.com Services LLC AVP3 Amazon Fulfillment Center 298 First Avenue Covington Township, PA 18424	
May 8, 2023  Date	Enter NAME, Designated Agent of NLRB Name

Signature

FORM NLRB-501 (3-21)

# UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS	SPACE
Case	Date Filed
04-CA-304238	9/28/22

INSTRUCTIONS:

Eile an eriginal with NI DD	Regional Director for the region in w	high the alleged unfairlaber area	tion accurred or in accurring
riie an original with NERD	s Regional Director for the region in w	nicii the affected unfair fabor brac	lice occurred or 15 occurring.

	LOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer		b. Tel. No.
Amazon Logistics		(888) 892-7180
		c. Cell No.
		C. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code)	e. Employer Representative	<u> </u>
2320 Center Square Rd	(b) (6), (b) (7)(C)	g. e-mail
		(D) (6) (D) (7) (Acceptance of the company of the c
NJ Swedesboro 08085		(b) (6), (b) (7) @amazon.com
No Swedesboro dodos		h. Number of workers employed
		200
i. Type of Establishment (factory, mine, wholesaler, etc.)	j. Identify principal product or service	
Transportation	Package Logistics	
The above-named employer has engaged in and is enga	ging in unfair labor practices within the meaning of section	8(a), subsections (1) and
(list subsections) 1	of the National Labor F	Relations Act, and these unfair labor
practices are practices affecting commerce within the me	eaning of the Act, or these unfair labor practices are practi	ces affecting commerce within the
meaning of the Act and the Postal Reorganization Act.		
	tement of the facts constituting the alleged unfair labor pra	ctices)
2. Busis of the offenge (corrotative clock and corrolled class	oment of the racte constituting the alleged annul racer pra	5.155 5)
See additional page		
filing charge (if labor organization)	give full name, including local name and number)	
(D)(D)(D)(I)(I)(C)	gro ranname, mola am grocarname ana name en	
Amazonians United South Jersey  4a. Address (Street and number, city, state, and ZIP cod	(0)	4b. Tel. No.
4a. Address (Street and number, city, state, and zir cod	(e)	
		(b) (6), (b) (7)(C)
PO Box 16424		4c. Cell No.
PA Philadelphia 19122		
		4d. Fax No.
		4e. e-mail
		(b) (6), (b) (7)(C)
5. Full name of national or international labor organization	on of which it is an affiliate or constituent unit (to be filled in v	when charge is filed by a labor organization)
Amazaniana Unitad		
Amazonians United		
	ARATION	Tel. No.
I and the second	ove charge and that the statements	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	my knowledge and belief.	Office, if any, Cell No.
	(b) (6), (b) (7)(C)	
		Fax No.
(signature of representative or person making charge)	(Print/type name and title or office, if any)	T GATYO.
PO Box 16424		o mail
Address Philadelphia PA 19122	Date 09/28/2022 06:14:52 PM	e-mail
		(b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

### **Basis of the Charge**

#### 8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prevent or discourage employees from engaging in protected concerted activities.

concerted activities.	
Work Rule	
Off Duty Access Policy	



REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658

Download NLRB Mobile App

September 29, 2022

(b) (6), (b) (7)(C)

Amazon Logistics 2320 Center Square Road Swedesboro, NJ 08085

Re: Amazon Logistics

Case 04-CA-304238

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney Nicholas S. Allen whose telephone number is (215)597-9711. If this Board agent is not available, you may contact Supervisory Attorney PATRICIA A. GARBER whose telephone number is (215)597-7625.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation</u> of <u>Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence:</u> All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

\* \* \*

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a> or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Goonan

Thomas Goonan Regional Director

#### Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

PORM NURB-3081 QUESTIONNAIRE ON COMMERCE INFORMATION  Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.  CASE NAME  CASE NUMBER 04-CA-304238  1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)  2. TYPE OF ENTITY  [] CORPORATION [] LLC [] LLP [] PARTNERSHIP [] SOLE PROPRIETORSHIP [] OTHER (Specify)  3. IF A CORPORATION or LLC  A. STATE OF INCORPORATION OR FORMATION OR FORMATION  B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES  OR FORMATION  4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).  73. PRINCIPAL LOCATION:  74. PRINCIPAL LOCATION:  75. BRANCH LOCATIONS:
Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.  CASE NAME  CASE NUMBER 04-CA-304238  1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)  2. TYPE OF ENTITY  [ ] CORPORATION [ ] LLC [ ] LLP [ ] PARTNERSHIP [ ] SOLE PROPRIETORSHIP [ ] OTHER (Specify )  3. IF A CORPORATION or LLC  A. STATE OF INCORPORATION OR FORMATION OR FORMATION  B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES  OR FORMATION  4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
CASE NAME  CASE NUMBER 04-CA-304238  1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)  2. TYPE OF ENTITY  [] CORPORATION [] LLC [] LLP [] PARTNERSHIP [] SOLE PROPRIETORSHIP [] OTHER (Specify)  3. IF A CORPORATION or LLC  A. STATE OF INCORPORATION OR FORMATION OR FORMATION  OR FORMATION  B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES OR FORMATION  4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
CASE NAME  CASE NUMBER 04-CA-304238  1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)  2. TYPE OF ENTITY  [] CORPORATION [] LLC [] LLP [] PARTNERSHIP [] SOLE PROPRIETORSHIP [] OTHER (Specify)  3. IF A CORPORATION or LLC  A. STATE OF INCORPORATION OR FORMATION OR FORMATION  OR FORMATION  B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES OR FORMATION  4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)  2. TYPE OF ENTITY  [ ] CORPORATION [ ] LLC [ ] LLP [ ] PARTNERSHIP [ ] SOLE PROPRIETORSHIP [ ] OTHER (Specify )  3. IF A CORPORATION or LLC  A STATE OF INCORPORATION OR FORMATION OR FORMATION OR FORMATION  4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
2. TYPE OF ENTITY  [ ] CORPORATION [ ] LLC [ ] LLP [ ] PARTNERSHIP [ ] SOLE PROPRIETORSHIP [ ] OTHER (Specify)  3. IF A CORPORATION or LLC  A STATE OF INCORPORATION OR FORMATION OR FORMATION  B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES OR FORMATION  4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
[ ] CORPORATION [ ] LLC [ ] LLP [ ] PARTNERSHIP [ ] SOLE PROPRIETORSHIP [ ] OTHER (Specify)  3. IF A CORPORATION or LLC  A. STATE OF INCORPORATION OR FORMATION OR FORMATION  B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES OR FORMATION  4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
[ ] CORPORATION [ ] LLC [ ] LLP [ ] PARTNERSHIP [ ] SOLE PROPRIETORSHIP [ ] OTHER (Specify)  3. IF A CORPORATION or LLC  A. STATE OF INCORPORATION OR FORMATION OR FORMATION  B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES OR FORMATION  4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
3. IF A CORPORATION or LLC  A. STATE OF INCORPORATION OR FORMATION  B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES OR FORMATION  4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
3. IF A CORPORATION or LLC  A. STATE OF INCORPORATION OR FORMATION  B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES OR FORMATION  4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
A. STATE OF INCORPORATION OR FORMATION  B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES OR FORMATION  4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS  5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR  6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).
7A. PRINCIPAL LOCATION: 7B. BRANCH LOCATIONS:
7A. PRINCIPAL LOCATION: 7B. BRANCH LOCATIONS:
7A. PRINCIPAL LOCATION: 7B. BRANCH LOCATIONS:
8. NUMBER OF PEOPLE PRESENTLY EMPLOYED
A. TOTAL:  B. AT THE ADDRESS INVOLVED IN THIS MATTER:
9. DURING THE MOST RECENT (Check the appropriate box): [ ] CALENDAR [ ] 12 MONTHS or [ ] FISCAL YEAR (FY DATES)  YES NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased
goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you
provided. \$
provided. \$
provided. \$  C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns?  If less than \$50,000, indicate amount. \$  D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$  E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$  F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000,
provided. \$  C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$  D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$  E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$  F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$
provided. \$  C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns?  If less than \$50,000, indicate amount. \$  D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$  E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$  F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000,
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns?  If less than \$50,000, indicate amount. \$
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns?  If less than \$50,000, indicate amount. \$  D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$  E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$  F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$  G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$
provided. \$  C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$  D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$  E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$  F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$  G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$  H. Gross Revenues from all sales or performance of services (Check the largest amount)
provided. \$
provided. \$  C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$  D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$  E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$  F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$  G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$  H. Gross Revenues from all sales or performance of services (Check the largest amount)  [] \$100,000 [] \$250,000 [] \$500,000 [] \$1,000,000 or more If less than \$100,000, indicate amount.  I. Did you begin operations within the last 12 months? If yes, specify date:    Did you begin operations within the last 12 months? If yes, specify date:
provided. \$

## 12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE NAME AND TITLE (Type or Print) SIGNATURE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations

Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71

DATE

E-MAIL ADDRESS

Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

# UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMAZON LOGISTICS	
Charged Party	
and	Case 04-CA-304238
AMAZONIANS UNITED SOUTH JERSEY	
Charging Party	
AFFIDAVIT OF SERVICE OF CHARGE AGAIN	ST EMPLOYER
I, the undersigned employee of the National Labor September 29, 2022, I served the above-entitled documents following persons, addressed to them at the following	nent(s) by post-paid regular mail upon the
Amazon Logistics 2320 Center Square Road Swedesboro, NJ 08085	
September 29, 2022	Lorraine Y. Murray Designated Agent of NLRB
Date	Name
_	/s/ Lorraine Y. Murray
	Signature



Agency Website: www.nlrb.gov
Telephone: (215)597-7601

Download
NLRB

Mobile App

REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

September 29, 2022

Fax: (215)597-7658

(b) (6), (b) (7)(C)

Amazonians United South Jersey P.O. Box 16424 Philadelphia, PA 19122

> Re: Amazon Logistics Case 04-CA-304238

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on September 28, 2022 has been docketed as case number 04-CA-304238. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney Nicholas S. Allen whose telephone number is (215)597-9711. If this Board agent is not available, you may contact Supervisory Attorney PATRICIA A. GARBER whose telephone number is (215)597-7625.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

\* \* \*

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB

office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Goonan

Thomas Goonan Regional Director FORM NLRB-501 (3-21)

#### UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD **CHARGE AGAINST EMPLOYER**

**AMENDED** 

DO NOT WRITE IN THIS	SPACE
	Date Filed
04-CA-304238	05/10/23

#### **INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring

rile an original with NERB Regional Director for the region in		rilig.
1. EMPL	OYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Amazon.com Services LLC		(b) (6), (b) (7)(C)
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) Attn: Amazon Payroll 202 Westlake Ave N Seattle, WA 98109	(b) (6), (b) (7)(C)	g. e-mail
		h. Number of workers employed
i. Type of Establishment <i>(factory, mine, wholesaler, etc.)</i> Transportation	j. Identify principal product or service Package Logistics	
The above-named employer has engaged in and is engage	ging in unfair labor practices within the meaning of section	on 8(a), subsections (1) and
(list subsections) 3		Relations Act, and these unfair labor
practices are practices affecting commerce within the mea		
meaning of the Act and the Postal Reorganization Act.	aning of the flot, of these unian labor practices are pract	locs directing commerce within the
2. Basis of the Charge (set forth a clear and concise state	ment of the facts constituting the alleged unfair labor pro	actices)
On June 30, 2022, the Employer implemented an unimplemented a revised version of the same no-acceresponse to employees' union activity and for the property of	ess policy. The Employer implemented and has m	aintained this unlawful policy in
Section 10 (j) relief requested		
3. Full name of party filing charge (if labor organization, gas Amazonians United, South Jersey Chapter	ive full name, including local name and number)	
4a. Address (Street and number, city, state, and ZIP code P.O. Box 16424	9)	4b. Tel. No.
Philadelphia, PA 19122		(b) (6), (b) (7)(C)
		4d. Fax No.
		4e. e-mail
5. Full name of national or international labor organization	of which it is an affiliate or constituent unit (to be filled in	when charge is filed by a labor organization)
6. DECL/	ARATION	Tel. No.
	ve charge and that the statements by knowledge and belief.	
David Tykulsker	Attorney	Office, if any, Cell No.
(signature of representative or person making charge)	(Print/type name and title or office, if any)	Fax No.
Address 161 Walnut St., Montclair, NJ 07042	Date 05/08/2023	e-mail

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



May 10, 2023

### (b) (6), (b) (7)(C)

Amazon.com Services LLC 2320 Center Square Road Swedesboro, NJ 08085

REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: Amazon.com Services LLC Case 04-CA-304238

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Attorney Nicholas S. Allen whose telephone number is (215)597-9711. If the agent is not available, you may contact Supervisory Attorney PATRICIA A. GARBER whose telephone number is (215)597-7625.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its

determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

KIMBERLY E. ANDREWS Regional Director

Kindly & ardens

Enclosure: Copy of first amended charge

cc: Brian Stolzenbach Seyfarth Shaw LLP 233 South Wacker Drive Suite 8000 Chicago, IL 60606

(b) (6), (b) (7)(C)

Amazon.com Services LLC 202 Westlake Avenue North Seattle, WA 98109

### UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

		O T T	~~~	-	OTTO		000	-	 4
$\mathbf{A} \mathbf{N}$	IAZ	$\mathbf{O}$	CON	VΙ	SER	VΙ	CES		1

**Charged Party** 

and

AMAZONIANS UNITED SOUTH JERSEY CHAPTER

**Charging Party** 

Case 04-CA-304238

#### AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on May 10, 2023, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

### (b) (6), (b) (7)(C)

Amazon.com Services LLC 2320 Center Square Road Swedesboro, NJ 08085

Brian Stolzenbach Seyfarth Shaw LLP 233 South Wacker Drive Suite 8000 Chicago, IL 60606

### (b) (6), (b) (7)(C)

Amazon.com Services LLC 202 Westlake Avenue North Seattle, WA 98109

May 10, 2023	Enter NAME, Designated Agent of NLRB			
Date	Name			
	Signature			



Agency Website: www.nlrb.gov Telephone: (215)597-7601 **NLRB** 



Mobile App

May 10, 2023

REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Amazonians United South Jersey Chapter P.O. Box 16424 Philadelphia, PA 19122

> Re: Amazon.com Services LLC Case 04-CA-304238

Fax: (215)597-7658

Dear (b) (6), (b) (7)(C).

We have docketed the first amended charge that you filed in this case.

**Investigator**: This charge is being investigated by Field Attorney Nicholas S. Allen whose telephone number is (215)597-9711. If the agent is not available, you may contact Supervisory Attorney PATRICIA A. GARBER whose telephone number is (215)597-7625.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

KIMBERLY E. ANDREWS Regional Director

Kimbely & ardun

cc: David Tykulsker, Esquire
David Tykulsker & Associates
161 Walnut Street
Montclair, NJ 07042

FORM NLRB-501 (3-21)

#### UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

	DO NOT WRITE IN THIS	SPACE
Case		Date Filed
	10-CA-290944	2/22/2022

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in	which the alleged unfair labor practice occurred or is occ	curring.
1. EMPL	OYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Amazon.com Services, LLC		b. Tel. No. 888-892-7180
		c. Cell No.
Address (Chrost site state and 710 ands)	e. Employer Representative	f. Fax. No.
d. Address (Street, city, state, and ZIP code) 975 Powder Plant Road Bessemer, AL 35022	(b) (6), (b) (7)(C)	g. e mail
		h. Number of workers employed 5,000
i. Type of Establishment (factory, mine, wholesaler, etc.) Warehouse and distribution center	j. Identify principal product or service shipment of goods and products	•
The above named employer has engaged in and is engaged	ging in unfair labor practices within the meaning of sec	tion 8(a), subsections (1) and
(list subsections) (3)	of the National Labo	or Relations Act, and these unfair labor
practices are practices affecting commerce within the me	aning of the Act, or these unfair labor practices are pra	actices affecting commerce within the
meaning of the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise state	ment of the facts constituting the alleged unfair labor	practices)
The above named Employer unlawfully interfered the right to refrain from participating in campaign captive audience meetings). The Employer's cond	activities) by mandating that employees attend a	anti-union campaign meetings (i.e.
3. Full name of party filing charge (if labor organization, garantee, Wholesale and Department Store Union	ive full name, including local name and number)	
4a. Address (Street and number, city, state, and ZIP code 1901 10th Avenue South	9)	4b. Tel. No. 205-322-7452
Birmingham, AL 35205		4c. Cell No.
		4d. Fax No. 205-322-8447
		4e. e mail
5. Full name of national or international labor organization United Food and Commercial Workers, Internation		in when charge is filed by a labor organization)
I declare that I have read the about	ARATION we charge and that the statements	Tel. No. 205-870-9989
Re " heus Rauso	ny knowledge and belief.  Richard P. Rouco, Attorney	Office, if any, Cell No.
(signature of representative or person making charge)	(Print/type name and title or office, if any)	Fax No.
Address 2 -20th Street North, Suite 930, Birmingh	am, AL 35203 Date 02/16/22	e-mail rrouco@qcwdr.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary, however, failure to supply the information may cause the NLRB to decline to invoke its processes.



Download

REGION 10 401 W. Peachtree Street, NE Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858

Download NLRB Mobile App

February 22, 2022

(b) (6), (b) (7)(C)

Amazon.com Services LLC 975 Powder Plant Rd Bessemer, AL 35022-5497

Re: Amazon.com Services LLC Case 10-CA-290944

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner David C. Watkins whose telephone number is (629)800-6267. The mailing address is 810 Broadway Ste 302, Nashville, TN 37203-3859. If this Board agent is not available, you may contact Resident Officer Stacee R. Smith whose telephone number is (629)800-6266.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence:</u> All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a> or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director

#### **Enclosures:**

- 1. Copy of Charge
- 2. Commerce Questionnaire

FORM NLRB-5081 (3-11)	NATIONAL I	LABOR RELAT	IONS BOARD			
	IONNAIRE C	N COMMER	CE INFORMAT	TION		
Please read carefully, answer all applicable items, and r					e and identify item nu	mber.
CASE NAME			оршоо то то чатош, р		CASE NUMBER	
				1	10-CA-290944	
1. EXACT LEGAL TITLE OF ENTITY (As filed	with State and/or	stated in legal d	ocuments forming e	ntity)		
2. TYPE OF ENTITY						
[ ] CORPORATION [ ] LLC [ ] LLP [	] PARTNERSHI	IP [] SOLE	PROPRIETORSHIP	[] OTHE	R (Specify)	
3. IF A CORPORATION or LLC						
A. STATE OF INCORPORATION	B. NAME, AI	DDRESS, AND R	ELATIONSHIP (e.g	. parent, subsid	iary) OF ALL RELA	TED ENTITIES
OR FORMATION						
4. IF AN LLC OR ANY TYPE OF PARTNERSH	IP, FULL NAME	E AND ADDRES	S OF ALL MEMBE	RS OR PART	NERS	
5. IF A SOLE PROPRIETORSHIP, FULL NAM	F AND ADDRES	S OF PROPRIE	TOP			
5. If A SOLE I ROI RETORSHII, FULL NAME	E AND ADDRES	5 OF TROTRIE	TOR			
6. BRIEFLY DESCRIBE THE NATURE OF YO	IID OPERATION	NS (Products han	dled or manufactured	l or natura of s	anvices nerformed)	
U. BRIEFET DESCRIBE THE NATURE OF TO	CK OI EKAITOI	15 (1 Todacis nam	area or manajaciarea	, or nature of st	er vices perjormeu).	
7A. PRINCIPAL LOCATION:		7B. BRANCH	LOCATIONS:			
8 NUMBER OF PEOPLE PRESENTLY EMPLO	OVED					
8. NUMBER OF PEOPLE PRESENTLY EMPLO	T	DDRESS INVOI	VED IN THIS MAT	TER-		
A. TOTAL:	B. AT THE A		VED IN THIS MAT		L VEAR (FYDAT)	ES )
	B. AT THE A				L YEAR (FYDATI	ES) NO
A. TOTAL:  9. DURING THE MOST RECENT (Check the apple of \$50)  A. Did you provide services valued in excess of \$50	B. AT THE A	] CALENDAR	[ ] 12 MONTHS	or []FISCA	YES	
A. TOTAL:  9. DURING THE MOST RECENT (Check the app	B. AT THE A propriate box): [	] CALENDAR stomers outside y	[ ] 12 MONTHS our State? If no, indi	or [] FISCA	YES e.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the application)  A. Did you provide services valued in excess of \$50 \$	B. AT THE A  propriate box): [  0,000 directly to cues a valued in excess	CALENDAR stomers outside y s of \$50,000 to cu	[ ] 12 MONTHS  our State? If no, indi stomers in your State	or [] FISCA cate actual value who purchased	YES e.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the application)  A. Did you provide services valued in excess of \$50 \$	B. AT THE A propriate box): [ 1,000 directly to curves valued in excessutside your State?	stomers outside y s of \$50,000 to cu If no, indicate th	[ ] 12 MONTHS  our State? If no, indi  stomers in your State e value of any such so	or [] FISCA cate actual value who purchased ervices you	YES	
A. TOTAL:  9. DURING THE MOST RECENT (Check the application)  A. Did you provide services valued in excess of \$50 \$	B. AT THE A propriate box): [ 1,000 directly to cues valued in excess tutside your State?  e services valued in	stomers outside y s of \$50,000 to cu If no, indicate th	our State? If no, indistomers in your State e value of any such so	cate actual value who purchased ervices you	YES ie.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the ap.  A. Did you provide services valued in excess of \$50 \$  B. If you answered no to 9A, did you provide service goods valued in excess of \$50,000 from directly oprovided. \$  C. If you answered no to 9A and 9B, did you provided newspapers, health care institutions, broadcasting If less than \$50,000, indicate amount. \$	B. AT THE A propriate box): [ 1,000 directly to cures valued in excess outside your State?  e services valued in stations, commerce	stomers outside y s of \$50,000 to cu If no, indicate th in excess of \$50,0 ial buildings, edu	our State? If no, indicated in the state of any such section of the public utilities, cational institutions, of	cate actual value who purchased ervices you transit systems or retail concern	YES ie. if	
A. TOTAL:  9. DURING THE MOST RECENT (Check the apple of the services valued in excess of \$50 \$50 \$1.    B. If you answered no to 9A, did you provide service goods valued in excess of \$50,000 from directly oprovided. \$1.    C. If you answered no to 9A and 9B, did you provide newspapers, health care institutions, broadcasting If less than \$50,000, indicate amount. \$1.    D. Did you sell goods valued in excess of \$50,000 diamount. \$1.    D. Did you sell goods valued in excess of \$50,000 diamount. \$1.    D. S.	B. AT THE A propriate box): [ 1,000 directly to cures valued in excess outside your State? 2 e services valued in stations, commercurectly to customers	stomers outside y s of \$50,000 to cu If no, indicate the in excess of \$50,0 cial buildings, edu	our State? If no, indi- astomers in your State e value of any such so 00 to public utilities, cational institutions, of	or [] FISCA cate actual value who purchased ervices you transit systems, or retail concern in \$50,000, indi	YES ie. if	
A. TOTAL:  9. DURING THE MOST RECENT (Check the app.  A. Did you provide services valued in excess of \$50 \$  B. If you answered no to 9A, did you provide service goods valued in excess of \$50,000 from directly oprovided. \$  C. If you answered no to 9A and 9B, did you provide newspapers, health care institutions, broadcasting If less than \$50,000, indicate amount. \$  D. Did you sell goods valued in excess of \$50,000 diamount. \$  E. If you answered no to 9D, did you sell goods valued.	B. AT THE A propriate box): [ 1,000 directly to cures valued in excess outside your State? 2 e services valued in stations, commerce trectly to customers are the commerce of \$50 and \$50 are the commerce of \$50 are the comm	stomers outside y s of \$50,000 to cu If no, indicate th in excess of \$50,0 cial buildings, edu s located outside y	our State? If no, indi- astomers in your State e value of any such so 00 to public utilities, cational institutions, of your State? If less that	or [] FISCA cate actual value who purchased ervices you transit systems, or retail concern n \$50,000, indi	YES ie. if	
A. TOTAL:  9. DURING THE MOST RECENT (Check the apple of the services valued in excess of \$50 \$50 \$1.    B. If you answered no to 9A, did you provide service goods valued in excess of \$50,000 from directly oprovided. \$1.    C. If you answered no to 9A and 9B, did you provide newspapers, health care institutions, broadcasting If less than \$50,000, indicate amount. \$1.    D. Did you sell goods valued in excess of \$50,000 diamount. \$1.    D. Did you sell goods valued in excess of \$50,000 diamount. \$1.    D. S.	B. AT THE A propriate box): [ 1,000 directly to cures valued in excess outside your State? 2 e services valued in stations, commerce trectly to customers are the commerce of \$50 and \$50 are the commerce of \$50 are the comm	stomers outside y s of \$50,000 to cu If no, indicate th in excess of \$50,0 cial buildings, edu s located outside y	our State? If no, indi- astomers in your State e value of any such so 00 to public utilities, cational institutions, of your State? If less that	or [] FISCA cate actual value who purchased ervices you transit systems, or retail concern n \$50,000, indi	YES ie. if	
A. TOTAL:  9. DURING THE MOST RECENT (Check the apple of the services valued in excess of \$50 \$50 \$1.    B. If you answered no to 9A, did you provide service goods valued in excess of \$50,000 from directly oprovided. \$1.    C. If you answered no to 9A and 9B, did you provided newspapers, health care institutions, broadcasting If less than \$50,000, indicate amount. \$1.    D. Did you sell goods valued in excess of \$50,000 did amount. \$1.    E. If you answered no to 9D, did you sell goods value purchased other goods valued in excess of \$50,000 to \$1.    D. Did you sell goods valued in excess of \$50,000 did you sell goods valued in excess of \$50,000 to \$1.    D. Did you sell goods valued in excess of \$50,000 to \$1.    D. Did you answered no to 9D, did you sell goods valued in excess of \$50,000 to \$1.    D. Did you answered no to 9D, did you sell goods valued in excess of \$50,000 to \$1.    D. Did you answered no to 9D, did you sell goods valued in excess of \$50,000 to \$1.    D. Did you answered no to 9D, did you sell goods valued in excess of \$50,000 to \$1.    D. Did you answered no to 9D, did you sell goods valued in excess of \$50,000 to \$1.    D. Did you answered no to 9D, did you sell goods valued in excess of \$50,000 to \$1.    D. Did you answered no to 9D, did you sell goods valued to \$1.    D. Did you answered no to 9D, did you sell goods you	B. AT THE A propriate box): [ 1,000 directly to cures valued in excess outside your State? 1,000 directly to customers the services valued in excess of \$500 from directly outside your directly outside in excess of \$500 from directly outside in ex	stomers outside y s of \$50,000 to cu If no, indicate th in excess of \$50,0 cial buildings, edu s located outside y 0,000 directly to c tside your State?	[ ] 12 MONTHS  our State? If no, indi- astomers in your State e value of any such so 00 to public utilities, cational institutions, your State? If less than sustomers located insi If less than \$50,000,	or [] FISCA cate actual value who purchased ervices you transit systems, or retail concern n \$50,000, indi ide your State w indicate amour	YES  ie.  if  cate  who  it.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the app. A. Did you provide services valued in excess of \$50 \$	B. AT THE A propriate box): [ 1,000 directly to cue res valued in excess rutside your State?  e services valued in stations, commerce rectly to customers rectly to customers red in excess of \$50 from directly out	stomers outside y s of \$50,000 to cu If no, indicate th in excess of \$50,0 iial buildings, edu is located outside y 0,000 directly to c tside your State?	our State? If no, indicated institutions, of the state of	or [] FISCA cate actual value who purchased ervices you transit systems, or retail concern in \$50,000, indi ide your State w indicate amour s than \$50,000,	YES  ie.  if  cate  who  it.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the app.)  A. Did you provide services valued in excess of \$50 \$	B. AT THE A propriate box): [ 1,000 directly to cue tes valued in excess tutside your State? The services valued in excess of stations, commerce teed in excess of \$50,000 from directly out takes of \$50,000 from directly out ta	stomers outside y s of \$50,000 to cu If no, indicate th in excess of \$50,0 itial buildings, edu s located outside y 0,000 directly to cu tside your State? from directly outsi	[ ] 12 MONTHS  our State? If no, indi stomers in your State e value of any such so 00 to public utilities, cational institutions, your State? If less tha customers located insi If less than \$50,000, de your State? If les	or [] FISCA cate actual value who purchased ervices you transit systems, or retail concern in \$50,000, indi ide your State w indicate amour s than \$50,000,	YES  ie.  if  cate  who  it.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the app.  A. Did you provide services valued in excess of \$50 \$	B. AT THE A propriate box): [  1,000 directly to cue tes valued in excess tutside your State?  The services valued in excess test in excess of \$50,000 from directly out the services of \$50,000 from	stomers outside y s of \$50,000 to cu If no, indicate th in excess of \$50,0 itial buildings, edu s located outside y o,000 directly to cu taide your State? from directly outsi from enterprises w the largest amou	[ ] 12 MONTHS  our State? If no, indistomers in your State evalue of any such so  our State? If less that the state of the state evalue of any such so  our State? If less that existomers located insitif less than \$50,000, de your State? If less than \$50,000, de your State? If less than state evalue eva	or [] FISCA cate actual value who purchased ervices you transit systems, or retail concern in \$50,000, indi ide your State w indicate amount s than \$50,000,	YES  ie.  if  cate  who  it.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the app. A. Did you provide services valued in excess of \$50 \$	B. AT THE A propriate box): [ 1,000 directly to cures valued in excess outside your State? 2 e services valued in stations, commerce the services of \$50,000 from directly outsers of \$50,000 from dir	stomers outside y s of \$50,000 to cu If no, indicate th in excess of \$50,0 ial buildings, edu s located outside y o,000 directly to cu tside your State? from directly outsi from enterprises w the largest amount more If less th	[ ] 12 MONTHS  our State? If no, indistomers in your State evalue of any such so  our State? If less that the state of the state evalue of any such so  our State? If less that existomers located insitif less than \$50,000, de your State? If less than \$50,000, de your State? If less than state evalue eva	or [] FISCA cate actual value who purchased ervices you transit systems, or retail concern in \$50,000, indi ide your State w indicate amount s than \$50,000,	YES  ie.  if  cate  who  it.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the app.)  A. Did you provide services valued in excess of \$50 \$	B. AT THE A propriate box): [  1,000 directly to cures valued in excess outside your State?  1,000 directly to cures valued in excess valued in excess of \$50,000 from directly outscess of \$50,000 from directly	stomers outside y s of \$50,000 to cu If no, indicate th in excess of \$50,0 cial buildings, edu s located outside y stomers outside y outside your State? from directly outsi from enterprises w the largest amount more If less th pecify date:	our State? If no, indicate our State? If no, indicate evalue of any such so to public utilities, cational institutions, or our State? If less that sustomers located insignificant of the received the good out of the state of the received the good out of the state of the received the good out of the state of the received the good out of the state of the received the good out of the state of the received the good out of the state of the received the good out of the state	cate actual value who purchased ervices you transit systems, or retail concern \$50,000, indicate amounts than \$50,000, start windicate amounts amount.	YES  ie.  if  cate  who  it.	NO
A. TOTAL:  9. DURING THE MOST RECENT (Check the app. A. Did you provide services valued in excess of \$50 \$	B. AT THE A propriate box): [  1,000 directly to cue tes valued in excess putside your State?  The services valued in excess testations, commerce testations	stomers outside y s of \$50,000 to cu If no, indicate th in excess of \$50,0 ital buildings, edu s located outside y s located outside y on,000 directly to o tside your State? from directly outsi from enterprises w the largest amount more If less th secify date:	our State? If no, indicate our State? If no, indicate evalue of any such so to public utilities, cational institutions, or our State? If less that sustomers located insignificant of the received the good out of the state of the received the good out of the state of the received the good out of the state of the received the good out of the state of the received the good out of the state of the received the good out of the state of the received the good out of the state	cate actual value who purchased ervices you transit systems, or retail concern \$50,000, indicate amounts than \$50,000, start windicate amounts amount.	YES  ie.  if  cate  who  it.	NO

 12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

 NAME AND TITLE (Type or Print)
 SIGNATURE
 E-MAIL ADDRESS
 DATE

TITLE

NAME

#### PRIVACY ACT STATEMENT

E-MAIL ADDRESS

TEL. NUMBER

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

### **UNITED STATES OF AMERICA**

### BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMAZON.COM SERVICES LLC	
Charged Party	
and	Case 10-CA-290944
RETAIL, WHOLESALE AND DEPARTMENT STORE UNION	

### AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on February 22, 2022, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

### (b) (6), (b) (7)(C)

Amazon.com Services LLC 975 Powder Plant Rd Bessemer, AL 35022-5497

**Charging Party** 

February 22, 2022	Verone Van, Designated Agent of NLRB
Date	Name
	/s/ Verone Van
	Signature





REGION 10 401 W. Peachtree Street, NE Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

February 22, 2022

Retail, Wholesale and Department Store Union 1901 10th Avenue South Birmingham, AL 35205

Re: Amazon.com Services LLC

Case 10-CA-290944

Dear Sir or Madam:

The charge that you filed in this case on February 22, 2022 has been docketed as case number 10-CA-290944. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner David C. Watkins whose telephone number is (629)800-6267. The mailing address is 810 Broadway Ste 302, Nashville, TN 37203-3859. If this Board agent is not available, you may contact Resident Officer Stacee R. Smith whose telephone number is (629)800-6266.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a> or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director

cc: Richard P. Rouco, Attorney
Quinn, Connor, Weaver, Davies and Rouco LLP
2-20th St N Ste 930
Birmingham, AL 35203-4014

Form NLRB - 501 (3-21)

#### UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

### FIRST AMENDED CHARGE AGAINST EMPLOYER INSTRUCTIONS:

DO NOT WRIT	E IN THIS SPACE
Case	Date Filed
10-CA-290944	04-15-2022

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring

		220-10-4014-001200
a. Name of Employer		b. Tel. No.
Amazon.com Services LLC		(888)892-7180
		c. Cell No.
d. Address (Street, city, state, and ZIP code) 975 Powder Plant Rd, Bessemer, AL	e. Employer Representative (b) (6), (b) (7)(C)	f. Fax No.
35022-5497		g. e-mail (b) (6), (b) (7)(C) 2 amazon.com
		h. Number of Workers Employed
		5,000
i. Type of Establishment (factory, mine,	j. Identify Principal Product or Service	
wholesaler, etc.) Warehouse and Distribution Center	Shipment of goods and products	
I. The above-named employer has engaged in and	is engaging in unfair labor practices within the mea	aning of section 8(a), subsections (1) of the
National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the	r practices are practices affecting commerce withing the meaning of the Act and the Postal Reorganization	n the meaning of the Act, or these unfair labor on Act.
2. Basis of the Charge (set forth a clear and concise	statement of the facts constituting the alleged un	fair labor practices)
The charge period Franks and a full	-1	
The above named Employer unlawfully	m participating in compaign activities) by	ed employees exercising their Section
7 rights (including the right to refrain fro anti-union campaign meetings (i.e. capt	ive audience meetings) and/or by come	ring ampleyees while they are
performing their job duties, in violation of	of the Act	ing employees while they are
performing their job daties, in violation c	of the Act.	
2 Full name of party files above (Michael and Indian		
5. Full flame of party filing charge (if labor organizati	ion, give full name, including local name and numb	per)
Retail, Wholesale and Department Store	ion, give full name, including local name and numb e Union	
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF	e Union	4b. Tel. No.
Retail, Wholesale and Department Store	e Union	4b. Tel. No. (205)322-7452
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF	e Union	4b. Tel. No.
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF	e Union	4b. Tel. No. (205)322-7452
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF	e Union	4b. Tel. No. (205)322-7452 4c. Cell No.
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF	e Union	4b. Tel. No. (205)322-7452 4c. Cell No. 4d. Fax No.
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF  1901 10th Avenue South, Birmingham,	e Union P code) AL 35205	4b. Tel. No. (205)322-7452 4c. Cell No. 4d. Fax No. (205)322-8447 4e. e-mail
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF	e Union P code) AL 35205  zation of which it is an affiliate or constituent unit (	4b. Tel. No. (205)322-7452 4c. Cell No. 4d. Fax No. (205)322-8447 4e. e-mail
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF 1901 10th Avenue South, Birmingham,  5. Full name of national or international labor organization) United Food and Commercial V  6. DECLA	e Union P code) AL 35205  zation of which it is an affiliate or constituent unit ( Norkers, International Union  RATION	4b. Tel. No. (205)322-7452 4c. Cell No. 4d. Fax No. (205)322-8447 4e. e-mail
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF 1901 10th Avenue South, Birmingham,  5. Full name of national or international labor organization) United Food and Commercial V  6. DECLA I declare that I have read the above charge and	e Union P code) AL 35205  zation of which it is an affiliate or constituent unit ( Norkers, International Union  RATION d that the statements are true to the best of my	4b. Tel. No. (205)322-7452 4c. Cell No.  4d. Fax No. (205)322-8447 4e. e-mail
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF 1901 10th Avenue South, Birmingham,  5. Full name of national or international labor organization) United Food and Commercial V  6. DECLA	e Union P code) AL 35205  zation of which it is an affiliate or constituent unit ( Norkers, International Union  RATION d that the statements are true to the best of my	4b. Tel. No. (205)322-7452 4c. Cell No.  4d. Fax No. (205)322-8447 4e. e-mail  to be filled in when charge is filed by a labor  Tel. No.
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF 1901 10th Avenue South, Birmingham,  5. Full name of national or international labor organization) United Food and Commercial V  6. DECLA I declare that I have read the above charge and	e Union P code) AL 35205  zation of which it is an affiliate or constituent unit ( Norkers, International Union  RATION d that the statements are true to the best of my and belief.  Richard P. Rouco, Attorney	4b. Tel. No. (205)322-7452 4c. Cell No.  4d. Fax No. (205)322-8447 4e. e-mail  to be filled in when charge is filed by a labor  Tel. No. (205) 918-7430
Address: Street and number, city, state, and ZIF 1901 10th Avenue South, Birmingham,  5. Full name of national or international labor organization) United Food and Commercial organization) United Food and Commercial of the labore charge and knowledge  Recomplying the labore of the labore charge and knowledge  Recomplying the labore of the labore charge and knowledge  Recomplying the labore of the labore o	e Union P code) AL 35205  Zation of which it is an affiliate or constituent unit ( Norkers, International Union  RATION d that the statements are true to the best of my and belief.  Richard P. Rouco, Attorney (Print/type name and title or office, if any)	4b. Tel. No. (205)322-7452 4c. Cell No.  4d. Fax No. (205)322-8447 4e. e-mail  to be filled in when charge is filed by a labor  Tel. No. (205) 918-7430  Office, if any, Cell No.  Fax No.  e-mail
Retail, Wholesale and Department Store  4a. Address (Street and number, city, state, and ZIF 1901 10th Avenue South, Birmingham,  5. Full name of national or international labor organization) United Food and Commercial V  6. DECLA I declare that I have read the above charge and knowledge  Rechard Rowald Commercial V  (signature of representative or person making charge)	e Union P code) AL 35205  Zation of which it is an affiliate or constituent unit ( Norkers, International Union  RATION d that the statements are true to the best of my and belief.  Richard P. Rouco, Attorney (Print/type name and title or office, if any)	4b. Tel. No. (205)322-7452 4c. Cell No.  4d. Fax No. (205)322-8447 4e. e-mail  to be filled in when charge is filed by a labor  Tel. No. (205) 918-7430  Office, if any, Cell No.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

### WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



Download

REGION 10 401 W. Peachtree Street, NE Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

April 15, 2022

(b) (6), (b) (7)(C)

Amazon.com Services LLC 975 Powder Plant Rd Bessemer, AL 35022-5497

> Re: Amazon.com Services LLC Case 10-CA-290944

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner DAVID C. WATKINS whose telephone number is (629)800-6267. The mailing address is 810 Broadway Ste 302, Nashville, TN 37203-3859. If the agent is not available, you may contact Resident Officer STACEE R. SMITH whose telephone number is (629)800-6266.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to

comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

LISA Y. HENDERSON Regional Director

Enclosure: Copy of first amended charge

cc: Robert T. Dumbacher, Attorney
Hunton Andrews & Kurth LLP
600 Peachtree Street, NE, Suite 4100
Atlanta, GA 30308-2217

C. Randolph Sullivan, Attorney Hunton Andrews Kurth LLP 951 East Byrd St Richmond, VA 23219-4074

### **UNITED STATES OF AMERICA**

### BEFORE THE NATIONAL LABOR RELATIONS BOARD

Δ	M	Δ	7	O	N	(	~(	1	N	И	ſ	S	H	'I	7	V	1	$\mathbf{R}^{\prime}$	S	I	I	$\neg$
$\Box$	VI VI		$\mathbf{v}$	v	Τ.4	• •	_ \	_	Т	٧.	L	. 7	ш.	/ II'	•	<b>▼</b> 」	U	Ľ	v	- 1	41	 $\sim$

**Charged Party** 

and

Case 10-CA-290944

### RETAIL, WHOLESALE AND DEPARTMENT STORE UNION

**Charging Party** 

#### AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on April 15, 2022, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

### (b) (6), (b) (7)(C)

Amazon.com Services LLC 975 Powder Plant Rd Bessemer, AL 35022-5497

Robert T. Dumbacher, Attorney Hunton Andrews & Kurth LLP 600 Peachtree Street, NE, Suite 4100 Atlanta, GA 30308-2217

C. Randolph Sullivan, Attorney Hunton Andrews Kurth LLP 951 East Byrd St Richmond, VA 23219-4074

April 15, 2022	Kalsey Harrison,
	Designated Agent of NLRB
Date	Name
	/s/ Kalsey Harrison
	Signature



Download

REGION 10 401 W. Peachtree Street, NE Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

April 15, 2022

Retail, Wholesale and Department Store Union 1901 10th Avenue South Birmingham, AL 35205

Re: Amazon.com Services LLC Case 10-CA-290944

Dear Sir or Madam:

We have docketed the first amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner DAVID C. WATKINS whose telephone number is (629)800-6267. The mailing address is 810 Broadway Ste 302, Nashville, TN 37203-3859. If the agent is not available, you may contact Resident Officer STACEE R. SMITH whose telephone number is (629)800-6266.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to

comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

LISA Y. HENDERSON Regional Director

cc: Richard P. Rouco, Attorney
Quinn, Connor, Weaver, Davies and
Rouco LLP
2-20th St N Ste 930
Birmingham, AL 35203-4014



Download

Agency Website: www.nlrb.gov Telephone: (312)353-7570 Fax: (312)886-1341 Download NLRB Mobile App

February 17, 2023

### (b) (6), (b) (7)(C)

Amazon.com Services, LLC 201 Emerald Drive Joliet, IL 60433

**REGION 13** 

Dirksen Federal Building

Chicago, IL 60604-2027

219 South Dearborn Street, Suite 808

Re: Amazon.com Services, LLC Case 13-CA-301810

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of the second amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner Jana C. Prokop whose telephone number is (312)353-8613 and email address is <u>Jana.Prokop@nlrb.gov</u>. If the agent is not available, you may contact Supervisory Examiner Kate Gianopulos whose telephone number is (312)353-4162.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the second amended charge by March 3, 2023. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures</u>: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Angie Cowan Hamada Regional Director

and Hack

Enclosure: Copy of second amended charge

cc: Brian Stolzenbach Seyfarth Shaw LLP 233 South Wacker Drive, Suite 8000 Chicago, IL 60606

### **UNITED STATES OF AMERICA**

### BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMAZON.COM SERVICES, I	LL	C.
------------------------	----	----

**Charged Party** 

and

(b) (6), (b) (7)(C)

**Charging Party** 

Case 13-CA-301810

### AFFIDAVIT OF SERVICE OF SECOND AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on February 17, 2023, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

### (b) (6), (b) (7)(C)

Amazon.com Services, LLC 201 Emerald Drive Joliet, IL 60433

Brian Stolzenbach Seyfarth Shaw LLP 233 South Wacker Drive, Suite 8000 Chicago, IL 60606

Date	Marshan Donegan, Designated Agent of NLRB
Date	Name
	/s/ Marshan Donegan
	Signature



REGION 13 Dirksen Federal Building 219 South Dearborn Street, Suite 808 Chicago, IL 60604-2027

Agency Website: www.nlrb.gov Telephone: (312)353-7570 Fax: (312)886-1341

Download NLRB Mobile App

February 17, 2023



Re: Amazon.com Services, LLC Case 13-CA-301810

Dear (b) (6), (b) (7)(C)

We have docketed the second amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner Jana C. Prokop whose telephone number is (312)353-8613 and email address is <u>Jana.Prokop@nlrb.gov</u>. If the agent is not available, you may contact Supervisory Examiner Kate Gianopulos whose telephone number is (312)353-4162.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the second amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures</u>: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Angie Cowan Hamada Regional Director

and Hack



Download

Agency Website: www.nlrb.gov Telephone: (312)353-7570 Fax: (312)886-1341 Download NLRB Mobile App

February 17, 2023

(b) (6), (b) (7)(C)

Amazon.com Services, LLC 201 Emerald Drive Joliet, IL 60433

**REGION 13** 

Dirksen Federal Building

Chicago, IL 60604-2027

219 South Dearborn Street, Suite 808

Re: Amazon.com Services, LLC Case 13-CA-304768

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner Jana C. Prokop whose telephone number is (312)353-8613 and email address is <u>Jana.Prokop@nlrb.gov</u>. If the agent is not available, you may contact Supervisory Attorney J. Edward Castillo whose telephone number is (312)353-7586.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge by March 3, 2023. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures</u>: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Angie Cowan Hamada Regional Director

and Hack

Enclosure: Copy of first amended charge

cc: Brian Stolzenbach, AttorneySeyfarth Shaw LLP233 South Wacker Drive, Suite 8000Chicago, IL 60606

Karla E. Sanchez Seyfarth Shaw LLP 233 South Wacker Drive Suite 8000 Chicago, IL 60606

### **UNITED STATES OF AMERICA**

### BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMAZON.CO	M SER	VICES.	, LLC
-----------	-------	--------	-------

**Charged Party** 

and

(b) (6), (b) (7)(C)

**Charging Party** 

Case 13-CA-304768

#### AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on February 17, 2023, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

### (b) (6), (b) (7)(C)

Amazon.com Services, LLC 201 Emerald Drive Joliet, IL 60433

Brian Stolzenbach, Attorney Seyfarth Shaw LLP 233 South Wacker Drive, Suite 8000 Chicago, IL 60606

Karla E. Sanchez Seyfarth Shaw LLP 233 South Wacker Drive Suite 8000 Chicago, IL 60606

February 17, 2023 Date Marshan Donegan, Designated Agent of NLRB

Name

/s/ Marshan Donegan

Signature



Download

REGION 13 Dirksen Federal Building 219 South Dearborn Street, Suite 808 Chicago, IL 60604-2027

Agency Website: www.nlrb.gov Telephone: (312)353-7570 Fax: (312)886-1341

Download NLRB Mobile App

February 17, 2023



Re: Amazon.com Services, LLC Case 13-CA-304768

Dear (b) (6), (b) (7)(C)

We have docketed the first amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner Jana C. Prokop whose telephone number is (312)353-8613 and email address is <u>Jana.Prokop@nlrb.gov</u>. If the agent is not available, you may contact Supervisory Attorney J. Edward Castillo whose telephone number is (312)353-7586.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures</u>: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Angie Cowan Hamada Regional Director

and Hach

FORM NLRB-501 (3-21)

### UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

Case 18-CA-303823

Date Filed 9/19/2022

#### **INSTRUCTIONS:**

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

### **Basis of the Charge**

### 8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prevent or discourage employees from engaging in protected concerted activities.

oncerted activities.
Vork Rule
Ion-work Area Union Meetings Boss Obserable
lo Personally Provided Voice Amplifiers Allowed
Jnion Organizer Cannot Use Amazon Voice Amplifier
Jnion Literature On Breakroom Tables Discardable
Off-Duty Employee Organizer No Facility Access





Agency Website: www.nlrb.gov Download NLRB Mobile App

SUBREGION 30 310 West Wisconsin Avenue, Suite 450W Milwaukee, WI 53203-2246

September 22, 2022

Telephone: (414)297-3861

Fax: (414)297-3880

(b) (6), (b) (7)(C)

Amazon Fulfillment Center 3501 120th Ave. Kenosha, WI 53144

> Re: Amazon Fulfillment Center

Case 18-CA-303823

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Examiner ADRIANA A. KELLY whose telephone number is (414)930-7199. If this Board agent is not available, you may contact Deputy Regional Attorney PERCY J. COURSEAULT, III whose telephone number is (414)930-7195.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence:</u> All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not

have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

\* \* \*

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a> or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JENNIFER A. HADSALL Regional Director

By:

BENJAMIN MANDELMAN Officer in Charge

Beyoni mendelme

### Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

FORM NLRB-5081	NATIONAL I	LABOR RELAT	ONS BOARD			
(3-11) QUESTI	ONNAIRE O	N COMMER	CE INFORMA	TION		
Please read carefully, answer all applicable items, and ref					e and identify item numb	ner
CASE NAME	turn to the NEND	Office. If additiona	r space is required, p		CASE NUMBER	
					18-CA-303823	
1. EXACT LEGAL TITLE OF ENTITY (As filed w	rith State and/or	stated in legal do	ocuments forming e	entity)		
2. TYPE OF ENTITY						
[] CORPORATION [] LLC [] LLP []	] PARTNERSHI	IP [] SOLE P	ROPRIETORSHIP	[] OTHE	R (Specify)	
3. IF A CORPORATION or LLC						
A. STATE OF INCORPORATION	B. NAME, AI	DDRESS, AND R	ELATIONSHIP (e.g	g. parent, subsid	iary) OF ALL RELATE	ED ENTITIES
OR FORMATION						
4. IF AN LLC OR ANY TYPE OF PARTNERSHIP	P, FULL NAME	E AND ADDRESS	OF ALL MEMBI	ERS OR PART	NERS	
5. IF A SOLE PROPRIETORSHIP, FULL NAME	AND ADDRES	S OF PROPRIET	FOR			
		2011101142				
6. BRIEFLY DESCRIBE THE NATURE OF YOU	R OPERATION	NS (Products hand	lled or manufactured	d or nature of s	ervices nerformed)	
o. Bulling production in 100	TO LIVINO	to (17 outlets minu	nea or managaetaree	a, or manaro of b	or rices perjor meay.	
7A. PRINCIPAL LOCATION:		7B. BRANCH	LOCATIONS:			
8. NUMBER OF PEOPLE PRESENTLY EMPLO	YED					
8. NUMBER OF PEOPLE PRESENTLY EMPLOY  A. TOTAL:	T	DDRESS INVOL	VED IN THIS MAT	TTER:		
	B. AT THE A				L YEAR <i>(FY DATES</i>	
A. TOTAL:  9. DURING THE MOST RECENT (Check the appr	B. AT THE A	] CALENDAR	[ ] 12 MONTHS	or [ ] FISCA	YES	) NO
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of \$50,0 and \$60,0 are the services valued in excess of \$50,0 are the services valued in excess o	B. AT THE A	] CALENDAR	[ ] 12 MONTHS	or [ ] FISCA	YES	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach  A. Did you provide services valued in excess of \$50,0	B. AT THE A ropriate box): [	] CALENDAR stomers outside yo	our State? If no, inde	or [] FISCA	YES e.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of \$50,0 and \$60,0 are the services valued in excess of \$50,0 are the services valued in excess o	B. AT THE A ropriate box): [ 000 directly to custs valued in excess	CALENDAR stomers outside your sof \$50,000 to cue	Ur State? If no, indestomers in your State	or [] FISCA	YES e.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of the services valued in excess of \$50,0 \$	B. AT THE Acropriate box): [ 000 directly to custs valued in excess taide your State?	stomers outside your sof \$50,000 to cur. If no, indicate the	our State? If no, indestomers in your State value of any such s	or [] FISCA	YES ie.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of the services valued in excess of \$50,0 \$\_ \]  B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly our provided. \$\_ \]  C. If you answered no to 9A and 9B, did you provide	B. AT THE All ropriate box): [  000 directly to custs valued in excess taide your State?	stomers outside your sof \$50,000 to cur. If no, indicate the in excess of \$50,000.	our State? If no, indestomers in your State evalue of any such s	or [] FISCA icate actual value who purchaseservices you transit systems	YES ie.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of the services valued in excess of \$50,0 \$	B. AT THE All ropriate box): [  000 directly to custs valued in excess taide your State?	stomers outside your sof \$50,000 to cur. If no, indicate the in excess of \$50,000.	our State? If no, indestomers in your State evalue of any such s	or [] FISCA icate actual value who purchaseservices you transit systems	YES ie.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of the services valued in excess of \$50,0 \$\frac{1}{2}\$.  B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly our provided. \$\frac{1}{2}\$.  C. If you answered no to 9A and 9B, did you provide newspapers, health care institutions, broadcasting stifless than \$50,000, indicate amount. \$\frac{1}{2}\$.  D. Did you sell goods valued in excess of \$50,000 directs.	B. AT THE All ropriate box): [  000 directly to custs valued in excess taide your State?  services valued it tations, commerce	stomers outside your soft \$50,000 to cur. If no, indicate the in excess of \$50,00 inal buildings, education	our State? If no, indestomers in your State evalue of any such seational institutions,	or [] FISCA icate actual value who purchaseservices you transit systems or retail concern	YES ie. if	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of the services valued in excess of \$50,0 \$\_\$	B. AT THE All ropriate box): [  000 directly to customers  services valued in tations, commerced to customers  ectly to customers	stomers outside your soft \$50,000 to cur. If no, indicate the in excess of \$50,00 in all buildings, educes slocated outside y	our State? If no, indestomers in your State evalue of any such sevalue of any such sevalue institutions, eational institutions, your State? If less that	or [] FISCA icate actual value who purchases services you transit systems or retail concent an \$50,000, indi	YES ie. if	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of the services valued in excess of \$50,0 \$\frac{1}{2}\$.  B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly our provided. \$\frac{1}{2}\$.  C. If you answered no to 9A and 9B, did you provide newspapers, health care institutions, broadcasting stifless than \$50,000, indicate amount. \$\frac{1}{2}\$.  D. Did you sell goods valued in excess of \$50,000 direct amount. \$\frac{1}{2}\$.	B. AT THE All ropriate box): [ 2000 directly to custs a valued in excess taken your State?  services valued in tations, commerce that the customers are the customers of \$500 and the customers.	stomers outside your soft \$50,000 to cur. If no, indicate the in excess of \$50,00 ial buildings, educated outside you on \$10,000 directly to co.	our State? If no, indestomers in your State value of any such seational institutions, your State? If less that	or [] FISCA icate actual value who purchases services you transit systems or retail concent an \$50,000, indi	YES ie. if	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of \$50.0 \$	B. AT THE All ropriate box): [ 2000 directly to custs valued in excess traide your State?  services valued in tations, commerce ectly to customers d in excess of \$50 from directly out	stomers outside your soft \$50,000 to cur. If no, indicate the in excess of \$50,00 in indicate during the indicated outside your state?	our State? If no, indestomers in your State value of any such sevalue of any such seva	or [] FISCA icate actual value who purchases services you transit systems or retail concern an \$50,000, indi- ide your State w indicate amoun	YES  ie.  if  cate  who  it.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of \$50.00 \$	B. AT THE All ropriate box): [ 2000 directly to custs valued in excess traide your State?  services valued in tations, commerce ectly to customers d in excess of \$50 from directly out	stomers outside your soft \$50,000 to cur. If no, indicate the in excess of \$50,000 to call buildings, educated outside your state?	our State? If no, indestomers in your State value of any such sevalue of any such seva	or [] FISCA icate actual value who purchases services you transit systems or retail concern an \$50,000, indi ide your State v indicate amount ss than \$50,000,	YES  ie.  if  cate  who  it.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of \$50.00 \$	B. AT THE All ropriate box): [ 2000 directly to custs valued in excess traide your State?  services valued in tations, commerce downward in excess of \$50,000 from directly out the costs of \$50,000 from directly amount. \$	stomers outside your soft \$50,000 to cur. If no, indicate the in excess of \$50,000 to cur. If no indicate the in excess of \$50,000 tial buildings, educe a located outside your state? To modificately outside your State?	our State? If no, independent of any such sevalue of any such seva	or [] FISCA icate actual value who purchases services you transit systems or retail concern an \$50,000, indi ide your State v indicate amount ss than \$50,000,	YES  ie.  if  cate  who  it.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of \$50.0 \$	B. AT THE All ropriate box): [ 2000 directly to custs valued in excess traide your State?  services valued in tations, commerce dim excess of \$50,000 from directly out costs of \$50,000 from directly out \$50,000 from directly \$50,000 f	stomers outside your soft \$50,000 to cur. If no, indicate the in excess of \$50,000 to cur. If no, indicate the in excess of \$50,000 tial buildings, educe a located outside your State? To modificately outside your State?	our State? If no, independent of the policy of the public utilities, cational institutions, cour State? If less that ustomers located institutions that ustomers located institutions (le your State? If less than \$50,000, de your State?	or [] FISCA icate actual value who purchases services you transit systems or retail concern an \$50,000, indi ide your State v indicate amount ss than \$50,000,	YES  ie.  if  cate  who  it.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of \$50.0 \$	B. AT THE All ropriate box): [  2000 directly to customers  services valued in tations, commerce dimexcess of \$50,000 from directly out the cost o	stomers outside your stomers outside your stomers outside your If no, indicate the in excess of \$50,00 and buildings, educated outside your State?  To modificately outside your state?	our State? If no, independent of the policy of the public utilities, cational institutions, cour State? If less that ustomers located institutions that ustomers located institutions (le your State? If less than \$50,000, de your State?	or [] FISCA icate actual value who purchases services you transit systems or retail concern an \$50,000, indi ide your State v indicate amount ss than \$50,000,	YES  ie.  if  cate  who  it.	
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of \$50,0 \$\( \) \\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	B. AT THE All ropriate box): [  2000 directly to custs a valued in excess traide your State?  services valued in tations, commerce dimexcess of \$50,000 from directly out the cost of \$5	stomers outside your stomers outside your stomers outside your stomers outside your stomers of \$50,000 to cut if no, indicate the in excess of \$50,000 to cut in excess of	our State? If no, indistomers in your State evalue of any such sevalue of any state? If less that ustomers located institutions, the your State? If less than \$50,000, the your State? If less no received the good and \$100,000, indicate the sevalue of the sevalue	or [] FISCA icate actual value who purchases services you transit systems or retail concern an \$50,000, indi ide your State w , indicate amount ss than \$50,000, ls directly from e amount.	YES  ie.  if  cate  who  it.	NO
A. TOTAL:  9. DURING THE MOST RECENT (Check the approach of the services valued in excess of \$50,0 \$	B. AT THE All ropriate box): [  2000 directly to custs valued in excess traide your State?  services valued in tations, commerce directly to customers directly to customers directly out costs of \$50,000 from directly out costs	stomers outside your stomers outside your stomers outside your stomers outside your stomers of \$50,000 to current outside your stomers outside your state?  The largest amount of the largest amount of the largest the largest date:  EMPLOYER GROOMS	our State? If no, indistomers in your State evalue of any such sevalue of any state? If less that ustomers located institutions, the your State? If less than \$50,000, the your State? If less no received the good and \$100,000, indicate the sevalue of the sevalue	or [] FISCA icate actual value who purchases services you transit systems or retail concern an \$50,000, indi ide your State w , indicate amount ss than \$50,000, ls directly from e amount.	YES  ie.  if  cate  who  it.	NO

NAME AND TITLE (Type or Print) SIGNATURE E-MAIL ADDRESS DATE

TITLE

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME

#### PRIVACY ACT STATEMENT

E-MAIL ADDRESS

TEL. NUMBER

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

# UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

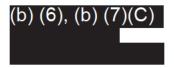
AMAZON FULFILLMENT CENTER  Charged Party  and	Case 18-CA-303823
(b) (6), (b) (7)(C)  Charging Party	
AFFIDAVIT OF SERVICE OF CHARGE AG  I, the undersigned employee of the National Labor September 22, 2022, I served the above-entitled of following persons, addressed to them at the follow  (b) (6), (b) (7)(C)	or Relations Board, state under oath that on document(s) by post-paid regular mail upon the
Amazon Fulfillment Center 3501 120th Ave. Kenosha, WI 53144	
September 22, 2022	Courtney Lutz, Designated Agent of NLRB
Date	Name
	/s/ Courtney Lutz
	Signature





SUBREGION 30 310 West Wisconsin Avenue, Suite 450W Milwaukee, WI 53203-2246 Agency Website: www.nlrb.gov Telephone: (414)297-3861 Fax: (414)297-3880 Download NLRB Mobile App

September 22, 2022



Re: Amazon Fulfillment Center Case 18-CA-303823

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on September 19, 2022, has been docketed as case number 18-CA-303823. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner ADRIANA A. KELLY whose telephone number is (414)930-7199. If this Board agent is not available, you may contact Deputy Regional Attorney PERCY J. COURSEAULT, III whose telephone number is (414)930-7195.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g., SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

\* \* \*

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a> or from an NLRB

office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JENNIFER A. HADSALL Regional Director

By:

BENJAMIN MANDELMAN Officer in Charge

mi mandelme

SUBREGION 30 310 West Wisconsin Avenue, Suite 450W Milwaukee, WI 53203-2246 Agency Website: www.nlrb.gov Telephone: (414)297-3861 Fax: (414)297-3880

May 19, 2023



Re: Amazon Fulfillment Center Case 18-CA-303823

Dear (b) (6), (b) (7)(C)

The Region has carefully investigated and considered the charge against Amazon Fulfillment Center alleging violations under Section 8 of the National Labor Relations Act.

**Decision to Partially Dismiss**: Based on that investigation I am partially dismissing the charge for the following reasons:

The charge alleges that Amazon Fulfillment Center (Employer) violated Section 8(a)(1) of the Act by interfering with, restraining, and coercing its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prevent or discourage employees from engaging in protected concerted activities. Specifically, you have alleged, in part, that the Employer has maintained rules allowing supervisors and/or managers to observe union meetings in non-work areas; prohibiting personal voice amplifiers, prohibiting personal use of Employer-owned voice amplification; and housekeeping rules allowing union literature to be discarded. Based on the investigation there is insufficient evidence to establish that the language of these rules violates the Act nor has sufficient evidence been presented to establish that these rules have been applied in an unlawful manner at your particular Amazon facility.

The allegation pertaining to the Employer's rule regarding off-duty employee access to its facilities remains outstanding.

**Charging Party's Right to Appeal:** The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible. Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at <a href="www.nlrb.gov">www.nlrb.gov</a>. See <a href="www.nlrb.gov">User Guide</a>. A video demonstration which provides <a href="step-by-step instructions">step-by-step instructions</a> and frequently asked questions are also available at <a href="www.nlrb.gov">www.nlrb.gov</a>. If you require additional assistance with E-Filing, please contact <a href="mailto:e-Filing@nlrb.gov">e-Filing@nlrb.gov</a>.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the

National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me. The main telephone number for the Office of Appeals is (202)273-3760.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on June 2, 2023. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than June 1, 2023. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before June 2, 2023.** The request may be filed electronically through the *E-File Documents* link on our website <a href="www.nlrb.gov">www.nlrb.gov</a>, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after June 2, 2023, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

JENNIFER A. HADSALL Regional Director

By: /s/ Benjamin Mandelman

BENJAMIN MANDELMAN Officer in Charge

Enclosure

### cc:

(b) (6), (b) (7)(C) Amazon Fulfillment Center 3501 120<sup>th</sup> Ave. Kenosha, WI 53144

Brian M. Stolzenbach, Attorney Seyfarth Shaw LLP 233 South Wacker Drive, Suite 8000 Chicago, IL 60606

## UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

### APPEAL FORM

Date:

To: General Counsel

Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001
Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in
Case Name(s).
Case No(s). (If more than one case number, include all case numbers in which appeal is taken.)
(Signature)

#### **E-FILING TO APPEALS**

- 1. **Extension of Time**: This document is used when the Charging Party is asking for more time to efile an Appeal.
  - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
  - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
- 2. **File an Appeal**: If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
  - Only one (1) Appeal can be e-filed to each determination in the Region's decision letter that is received.
  - After an Appeal has been e-filed, any additional materials to add to the Appeal should be e-filed under Correspondence.
- 3. **Notice of Appearance**: Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
  - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
  - This document can be e-filed **before** an Appeal is e-filed.
- 4. **Correspondence**: Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
  - Correspondence is used to e-file documents after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 5. **Position Statement**: The Charging Party or Charged Party may e-file a Position Statement.
  - The Charging Party will e-file this document as a supplement of the Appeal.
  - The Charged Party will specifically file one to support the Region's decision.
  - This document should be e-filed **after** an **Extension of Time, Appeal** or **Notice of Appearance** has been e-filed.
- 6. **Withdrawal Request**: If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
  - This document should be e-Filed **after** an **Extension of Time, Appeal** or **Notice of Appearance** has been e-filed.



- 7. The selections of **Evidence** or **Other** should no longer be used.
- 8. If you need to contact the Office of Appeals, please call (202)273-3760.

# UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD SUBREGION 30

AMAZON.COM SERVICES LLC

and

Case 18-CA-303823

(b) (6), (b) (7)(C)

### **ORDER RESCHEDULING HEARING**

IT IS HEREBY ORDERED that the hearing in the above-entitled matter is rescheduled from 9:00 a.m. on September 12, 2023 to 9:00 AM on October 10, 2023 at the Hearing Room, 310 W Wisconsin Ave, Suite 450W, Milwaukee, WI 53203. The hearing will continue on consecutive days until concluded.

Dated: May 23, 2023

JENNIFER A. HADSALL REGIONAL DIRECTOR NATIONAL LABOR RELATIONS BOARD REGION 18, BY

BENJAMIN MANDELMAN

Benjamir mardelma

OFFICER-IN-CHARGE

NATIONAL LABOR RELATIONS BOARD

SUBREGION 30

310 West Wisconsin Avenue, Suite 450W

Milwaukee, WI 53203-2246

NATIONAL LABO REGION 29 Two Metro Tech Center Suite 5100 Brooklyn, NY 11201-3838

Agency Website: www.nlrb.gov Telephone: (718)330-7713 Fax: (718)330-7579

September 26, 2022

Jeanne Mirer, Esq. Julien Mirer & Singla, PLLC 1 Whitehall Street 16th Floor New York, NY 10004

Retu R. Singla, Esq. Julien Mirer & Singla, PLLC 1 Whitehall Street 16th Floor New York, NY 10004

Re: Amazon.com Service, LLC

Case Nos. 29-CA-296817, 29-CA-297398

Dear Ms. Mirer, Ms. Singla:

We have carefully investigated and considered your charges that Amazon has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charges allege that the Employer discriminatorily suspended and then discharged (b) (6), (b) (7)(C) because of protected concerted and union activity. Contrary to what you allege, however, the evidence does not show that was treated in a discriminatory manner. Rather, the evidence shows the Employer discharged actions, the Employer's discharge of is defensible consistent with the Board's long-held Wright Line standard as the Employer has demonstrated it would have discharged regardless of protected activities. See Wright Line, 251 NLRB 1083 (1980).

Based on the foregoing, and in the absence of evidence that the Employer has violated the Act in any other manner encompassed by the charges, I am refusing to issue a complaint in these matter Accordingly, I am dismissing the charges.

**Charging Party's Right to Appeal:** The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible. Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at <a href="www.nlrb.gov">www.nlrb.gov</a>. See <a href="www.nlrb.gov">User Guide</a>. A video demonstration which provides <a href="step-by-step instructions">step-by-step instructions</a> and frequently asked questions are also available at <a href="www.nlrb.gov">www.nlrb.gov</a>. If you require additional assistance with E-Filing, please contact <a href="mailto:e-Filing@nlrb.gov">e-Filing@nlrb.gov</a>.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me. The main telephone number for the Office of Appeals is (202)273-3760.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on October 11, 2022. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed no later than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 7, 2022. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 11, 2022.** The request may be filed electronically through the *E-File Documents* link on our website <a href="www.nlrb.gov">www.nlrb.gov</a>, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after October 11, 2022, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence

at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

Kathy Drew King Regional Director

Kayen Drunky

#### Enclosure

cc: (b) (6), (b) (7)(C)

Amazon 546 Gulf Avenue Staten Island, NY 10314

Amber M. Rogers, Esq. Hunton Andrews Kurth LLP 1445 Ross Avenue, Suite 3700 Dallas, TX 75202

Kurt G. Larkin, Esq. Hunton Andrews Kurth LLP 951 E. Byrd Street Suite 700 Richmond, VA 23219

## UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

### APPEAL FORM

Date:

To: General Counsel

Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001	
Please be advised that an appeal is herely National Labor Relations Board from the action issue a complaint on the charge in	,
Case Name(s).	
Case No(s). (If more than one case number, inclutaken.)	de all case numbers in which appeal is
	(Signature)

#### **E-FILING TO APPEALS**

- Extension of Time: This document is used when the Charging Party is asking for more time to efile an Appeal.
  - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection Correspondence.
  - After an Extension of Time has already been e-filed, any additional materials to add to the Extension
    of Time should be e-filed under Correspondence.
- File an Appeal: If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
  - Only one (1) Appeal can be e-filed to each determination in the Region's decision letter that is received.
  - After an Appeal has been e-filed, any additional materials to add to the Appeal should be e-filed under Correspondence.
- 3. Notice of Appearance: Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
  - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
  - This document can be e-filed before an Appeal is e-filed.
- Correspondence: Parties will select Correspondence when adding documents or supplementing the Appeal
  or Extension of Time.
  - Correspondence is used to e-file documents after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 5. Position Statement: The Charging Party or Charged Party may e-file a Position Statement.
  - The Charging Party will e-file this document as a supplement of the Appeal.
  - The Charged Party will specifically file one to support the Region's decision.
  - This document should be e-filed after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 6. Withdrawal Request: If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
  - This document should be e-Filed after an Extension of Time, Appeal or Notice of Appearance has been e-filed.



- 7. The selections of Evidence or Other should no longer be used.
- 8. If you need to contact the Office of Appeals, please call (202)273-3760.



### OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

October 17, 2022

JEANNE MIRER, ESQ. RETU R. SINGLA, ESQ. JULIEN MIRER & SINGLA, PLLC 1 WHITEHALL ST 16TH FL NEW YORK, NY 10004

> Re: Amazon.com Service, LLC Cases 29-CA-296817 29-CA-297398

Dear Ms. Mirer, and Ms. Singla:

We have received your timely appeal from the Region's decision in the above-captioned cases. We will assign your appeal for processing in accordance with Agency procedures. Please be assured that our review of this matter will include a full analysis of the underlying investigatory file, your appeal, as well as current Board law and processes.

We will notify you and all involved parties of our decision by letter via email as permitted under Section 102.4(c) of the Board's Rules and Regulations. If an email address is not available for you, we will provide the decision by mail.

Sincerely,

Jennifer A. Abruzzo General Counsel

By:

Elicia L. Watts, Acting Director

266 A

Office of Appeals

ce: TERESA J. POOR
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
TWO METRO TECH CENTER
STE 5100
BROOKLYN, NY 11201-3838

KURT G. LARKIN, ESQ. HUNTON ANDREWS KURTH LLP 951 E. BYRD ST STE 700 RICHMOND, VA 23219

### (b) (6), (b) (7)(C)

AMAZON 546 GULF AVE STATEN ISLAND, NY 10314

AMBER M. ROGERS, ESQ. HUNTON ANDREWS KURTH LLP 1445 ROSS AVE STE 3700 DALLAS, TX 75202 (b) (6), (b) (7)(C) AMAZON LABOR UNION 67 RADFORD ST STATEN ISLAND, NY 10314

(b) (6), (b) (7)(C) AMAZON LABOR UNION 67 RADFORD ST STATEN ISLAND, NY 10314

kh



### OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

February 17, 2023

JEANNE MIRER, ESQ. RETU R. SINGLA, ESQ JULIEN MIRER & SINGLA, PLLC 1 WHITEHALL ST 16TH FL NEW YORK, NY 10004

> Re: Amazon.com Service, LLC Cases 29-CA-296817 29-CA-297398

Dear Ms. Mirer and Ms. Singla:

This office has carefully considered your appeal. The appeal is sustained. We concluded that Amazon.com Service, LLC arguably violated Section 8(a)(1) and (3) of the National Labor Relations Act by suspending and discharging an employee in retaliation for engaging in union activity.

We are remanding the cases to the Regional Director for further action. Absent settlement, the Regional Director will issue a complaint and an administrative law judge will hold a hearing. Please address all further inquiries to the Regional Director.

Sincerely,

Jenifer A. Abruzzo General Counsel

By:

Mark E. Arbesfeld, Director Office of Appeals

Mark E. Alberteld

ce: TERESA J. POOR
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
TWO METRO TECH CENTER
STE 5100
BROOKLYN, NY 11201-3838

KURT G. LARKIN, ESQ. HUNTON ANDREWS KURTH LLP 951 E. BYRD ST STE 700 RICHMOND, VA 23219

AMBER M. ROGERS, ESQ. HUNTON ANDREWS KURTH LLP 1445 ROSS AVE STE 3700 DALLAS, TX 75202 (b) (6), (b) (7)(C)
AMAZON LABOR UNION
67 RADFORD ST
STATEN ISLAND, NY 10314

(b) (6), (b) (7)(C)

AMAZON 546 GULF AVE STATEN ISLAND, NY 10314 (b) (6), (b) (7)(C) AMAZON LABOR UNION 67 RADFORD ST STATEN ISLAND, NY 10314

kh